

MESSAGE NO: 5105305 MESSAGE DATE: 04/15/2015

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE 2047305, 2180301, 3319308,
MESSAGE # 4281303
(s):
CASE #(s): C-570-978

EFFECTIVE DATE: 04/15/2015 COURT CASE #: 12-00204

PERIOD OF REVIEW: 10/18/2011 TO 12/31/2012

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for High Pressure Steel Cylinders from the People's Republic of China for certain firms for the period 10/8/2011 through 12/31/2012 (C-570-978)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 3 below.

1. On 02/06/2015, the U.S. Court of International Trade issued a final decision in the case of Beijing Tianhai Industry Co., Ltd. v. United States (12-00204). As a result of this decision, the injunction to which messages 3319308 and 4281303 refer enjoining liquidation of entries which are subject to the countervailing duty order on High Pressure Steel Cylinders from the People's Republic of China for the period 10/18/2011 through 12/31/2012 produced and exported by certain firms dissolved on 04/07/2015.
2. For all shipments of High Pressure Steel Cylinders from the People's Republic of China that were (a) produced by Beijing Tianhai Industry Co., Ltd.; or Langfang Tianhai High Pressure Container Co, Ltd.; or Tianjin Tianhai High Pressure Container Co., Ltd.; and (b) exported by Beijing Tianhai Industry Co., Ltd. (C-570-978), and were entered, or withdrawn from warehouse, for consumption during the period 10/18/2011 through 12/31/2012, in accordance with 19 CFR 351.212, you are to assess countervailing duties at the cash deposit or bonding rate in effect on the date of entry. Shipments of this merchandise entered, or withdrawn from warehouse, on or after 02/15/2012 and on or before 06/21/2012 should be liquidated without regard to countervailing duties. See messages 2047305 dated 02/16/2012 and 2180301 dated 06/28/2012.
3. These instructions constitute notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2. Accordingly, notice of the lifting of suspension occurred on the message date of these instructions. Unless instructed otherwise, for all other shipments of High Pressure Steel Cylinders from the People's Republic of China you shall continue to collect cash deposits of estimated countervailing duties for the merchandise at the current rates.
4. The injunction applicable to the entries covered by this instruction has dissolved. See paragraph 1.

5. The assessment of countervailing duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated countervailing duties. The interest provisions are not applicable to cash or bonds posted as estimated countervailing duties before the date of publication of the countervailing duty order. Interest shall be calculated from the date payment of estimated countervailing duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

6. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OI: TV.)

7. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party